IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.23575 of 2004

Between:

Anumolu Visweswar Rao, S/o.Krishnarajuna Rao,
R/o.UPH colony, Khanapuram (H), Khammam Urban Mandal,
Khammam District.

..... PETITIONER

AND

1 The Deputy Commissioner, Proh & Excise, Warangal District.
2 The Prohibition & Excise Sub-Inspector, Prohibition & Excise Station,

Khammam.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents in seizing the petitioner's auto bearing No.AP-20V-4043 is highly arbitrary, bad and illegal and consequently direct the respondents to release the petitioner's auto bearing No.AP-20V- 4043.

Counsel for the Petitioner: MR.P.PRABHAKAR REDDY

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking to declare the action of the respondents in seizing the petitioner's Auto-rickshaw bearing No. AP-20V-4043 is illegal and arbitrary and consequently to direct them to release the said Auto-rickshaw.

When the matter is taken up today, learned counsel for the petitioner submitted that pursuant to the orders of this Court dated 20.12.2004, the petitioner made an application to the 1st respondent for release of the Auto-rickshaw in question and the 1st respondent after considering the same released the Auto-rickshaw, and therefore nothing survives in the writ petition for adjudication and the matter has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 26.04.2005

Nsr

..... REGISTRAR

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SECTION OFFICER

To

1 The Deputy Commissioner, Prohibition & Excise, Warangal District.
2 The Prohibition & Excise Sub-Inspector, Prohibition & Excise Station,

Khammam.

3 Two CCs to GP for Prohibition and Excise, High Court Buildings,

Hyderabad (OUT)

4 Two CD copies